

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Cr. No. 02-10113-RGS

UNITED STATES OF AMERICA	)	VIOLETIONS:
	)	
v.	)	21 U.S.C. § 846 -
	)	Conspiracy to Possess
1. DIOMEDES ANZIANI	)	Heroin with Intent
2. LUIS E. RODRIGUEZ	)	to Distribute
3. JOSE MIGUEL HICIANO AMARO	)	
4. JOHNNY CIRIACO	)	21 U.S.C. § 841-
5. RAMON ANZIANI	)	Possession of Heroin with
6. PEDRO MARTINEZ	)	Intent to Distribute and
7. ANGEL MATOS	)	Distribution of Heroin
8. ELISON ANZIANI	)	
9. RAFAEL CORTIJO	)	21 U.S.C. § 843(b) -
10. ARCHIE DESROSIERS	)	Use of Communication Facility
11. ROBERT DAVIS	)	in Furtherance of a
12. RYAN CASSAVECHIA	)	Controlled Substances Offense
13. CHRISTY WANAGER	)	
14. CHRISTOPHER JOHNSON	)	
15. ALANDA DOWNS	)	18 U.S.C. § 2-Aiding and
16. MICHAEL BODGE	)	Abetting
17. FRANK MCQUADE	)	
18. SHANNAH VICUE	)	
19. MATTHEW STONE	)	
20. MELANIO ALMONTE	)	
21. JONATHAN GARCIA	)	
22. CRISTIAN GARCIA	)	
23. JUAN A. HERNANDEZ ORTIZ	)	
24. FNU LNU,	)	
a/k/a "Frenergy,"	)	
a/k/a "Frank"	)	
25. DANIEL ORTIZ	)	
26. FNU LNU,	)	
a/k/a "Vitin"	)	
27. FNU LNU,	)	
a/k/a "Pineo"	)	
a/k/a "Yoel Rodriguez"	)	
a/k/a "Osvaldo Guerrero"	)	
28. FNU LNU, a/k/a "Dario"	)	
a/k/a "Miguel Garcia"	)	
29. WILLIAM FELIZ,	)	
a/k/a "William Felix"	)	

**THIRD SUPERSEDING INDICTMENT**

**COUNT ONE:**       **(21 U.S.C. § 846 - Conspiracy to Possess Heroin  
With Intent to Distribute and to Distribute  
Heroin)**

The Grand Jury charges that:

From a date unknown to the United States, but from at least  
May 16, 2001, and continuing thereafter until on or about April  
2, 2002, in the District of Massachusetts,

4. JOHNNY CIRIACO,  
5. RAMON ANZIANI,  
7. ANGEL MATOS,  
14. CHRISTOPHER JOHNSON,

defendants herein, did knowingly and intentionally combine,  
conspire, confederate and agree with each other and with other  
persons known and unknown to the Grand Jury to possess with  
intent to distribute, and to distribute, heroin, a Schedule I  
controlled substance, in violation of Title 21, United States  
Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section  
846.

**COUNT TWO:**       **(21 U.S.C. § 846 - Conspiracy to Possess Heroin  
With Intent to Distribute and to Distribute  
Heroin)**

The Grand Jury further charges that:

From a date unknown to the United States, but from at least March 19, 2002, and continuing thereafter until on or about March 30, 2002, in the District of Massachusetts,

17. FRANK MCQUADE,  
defendant herein, did knowingly and intentionally combine,  
conspire, confederate and agree with other persons known and  
unknown to the United States to possess with intent to  
distribute, and to distribute, heroin, a Schedule I controlled  
substance, in violation of Title 21, United States Code, Section  
841(a)(1).

All in violation of Title 21, United States Code, Section  
846.

**COUNT THREE: (21 U.S.C. § 846 - Conspiracy to Possess Heroin  
With Intent to Distribute and to Distribute  
Heroin)**

The Grand Jury further charges that:

From a date unknown to the United States, but from at least  
December 19, 2001, and continuing thereafter until on or about  
March 22, 2002, in the District of Massachusetts,

4. JOHNNY CIRIACO,  
21. JONATHAN GARCIA,  
24. FNU LNU,  
a/k/a "Frenergy,"  
a/k/a "Frank,"  
27. FNU LNU,  
a/k/a "Pineo,"  
a/k/a "Yoel Rodriguez"  
a/k/a "Osvaldo Guerrero"  
29. WILLIAM FELIZ,  
a/k/a "William Felix,"

defendants herein, did knowingly and intentionally combine,  
conspire, confederate and agree with other persons known and  
unknown to the United States to possess with intent to  
distribute, and to distribute, heroin, a Schedule I controlled  
substance, in violation of Title 21, United States Code, Section  
841(a)(1).

All in violation of Title 21, United States Code, Section  
846.

**COUNT FOUR:** (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Heroin; 18 U.S.C. § 2 - Aiding and Abetting)

The Grand Jury further charges that:

On or about July 10, 2001, in Methuen, in the District of Massachusetts, and elsewhere,

14. CHRISTOPHER JOHNSON,  
defendant herein, did knowingly and intentionally possess with intent to distribute, and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841 (a)(1) and Title 18, United States Code, Section 2.

**COUNT FIVE:**       **(21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Heroin; 18 U.S.C. § 2 - Aiding and Abetting)**

The Grand Jury further charges that:

On or about December 29, 2001, in Methuen, in the District of Massachusetts, and elsewhere

14. CHRISTOPHER JOHNSON,  
defendant herein, did knowingly and intentionally possess with intent to distribute, and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841 (a)(1) and Title 18, United States Code, Section 2.

**COUNT SIX:**        (21 U.S.C. § 843(b) - Use of a Communication  
Facility in Furtherance of a Controlled Substances  
Offense)

The Grand Jury further charges that:

On or about March 26, 2002, in Essex County, in the District  
of Massachusetts, and elsewhere,

17. FRANK MCQUADE,  
defendant herein, did knowingly and intentionally use a  
communication facility, to wit, a telephone, in committing,  
causing and facilitating the commission of a violation of Title  
21, United States Code, Section 846, conspiracy to possess heroin  
with intent to distribute, and to distribute heroin.

All in violation of Title 21, United States Code, Section  
843 (b).

**NOTICE OF ADDITIONAL FACTORS**

The Grand Jury further finds that:

1. The offense charged in Count One involved one hundred grams or more of a mixture or substance containing a detectable amount of heroin. Accordingly, 21 U.S.C. §§ 841(b)(1)(B) applies.

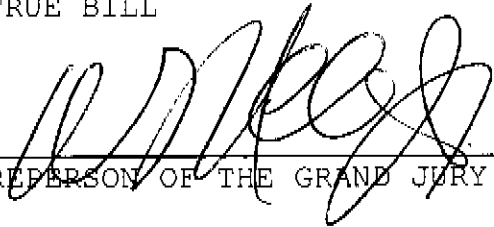
2. The offense charged in Count Three involved 100 grams or more of a mixture or substance containing a detectable amount of heroin. Accordingly, 21 U.S.C. § 841(b)(1)(B) applies.

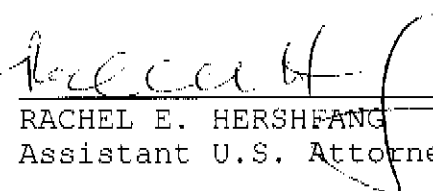
3. The defendant FNU LNU, a/k/a PINEO, a/k/a YOEL RODRIGUEZ, a/k/a OSVALDO GUERRERO is accountable for at least 100 grams, but not more than 400 grams, of heroin. Accordingly, 21 U.S.C. § 841(b)(1)(B) and USSG §2D1.1(c)(7) apply.

4. The defendant WILLIAM FELIZ, a/k/a WILLIAM FELIX is accountable for at least 700 grams, but no more than 1 kilogram of heroin. Accordingly, USSG §2D1.1(c)(5) applies.



A TRUE BILL

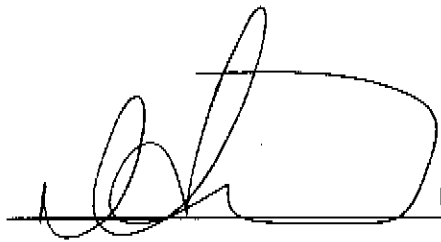
  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

  
\_\_\_\_\_  
RACHEL E. HERSHFANG  
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS

July 22, 2004.

Returned into the District Court by the Grand Jurors and filed.

  
\_\_\_\_\_  
Deputy Clerk

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

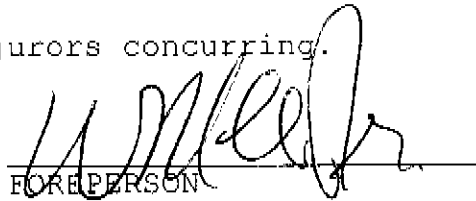
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a/k/a "William Felix"	)	

I, the undersigned, foreperson of the grand jury of this

Court, at the term begun and held at Boston on the 22<sup>nd</sup> day of July, A.D. 2004, in pursuant to Rule 6(c) of the Federal Rules of Criminal Procedure, do herewith file with the Clerk of the Court a record of the above case, this record not to be made public except on order of the court, to wit:

16 grand jurors concurring.

  
FOREPERSON